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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

P.I. 2
WRIT PETITION NO. 1722 OF 2001

BETWEEN

1. Manish Shrivastava S/o Late Shri N.L. Shrivastava, aged 31 years. Resident of Dharamjaigarh District Raigarh.
2. Gopal Agrawal S/o Sadhu Ram Agrawal, aged 29 years, Resident of Civil Lines, Dharamjaigarh District Raigarh .
3. Om Prakash Son of Mangal Sai Rathia, aged 35 years, Resident of Dharamjaigarh, Member of District Panchayat, Raigarh .

PETITIONERS

A N D

1. The State of Chhattisgarh, Through the Secretary Department of School Education, D.K. Building, Raipur.
2. The Director Incharge, Public Instructions, Chhattisgarh, Raipur. District Raipur.
3. The Collector, Raigarh, District Raigarh.
4. District Education Officer, Dharamjaigarh, Education District Dharamjaigarh, District Raigarh.



RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION
OF INDIA

आदेश पत्रक

मायला क्रमांक W.P. 1722 सन् 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>25.9.2001</u> Shri Sudhir Verma Counsel for the petitioner. Dr. N.K.Shukla learned Dy. A.G. for the respondents. Heard. By this petition styling as P.I.L. under Article 226/227 of the Constitution of India, the petitioners are raising a question that the District Education Office situated in Dharmjaigarh be not shifted to Raigarh. It is submitted that the shifting of the abovementioned office to Raigarh is not in public interest as it will adversely affect the interest of the tribal community of the area. Return has been filed by the State. Dr. Shukla submits that Raigarh is a tribal district. He further pointed out that earlier Raigarh Revenue District consisted of 17 blocks and after its bifurcation in May 1998 two districts have been formed viz. Raigarh and Jashpur. Raigarh was consisting of 8 blocks and Dharmjaigarh is one of the blocks. It is further submitted that in May 1998 Jashpur also became a district. It is further submitted that the District Education Officer has full control of the entire district and not of any block. Having heard counsel for the parties and considered the facts and circumstances of the case and material available on record, in our opinion	

[पीछे देखिये]

आदेश पत्रक

मामला क्रमांक सन् 200

विरुद्ध

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	the decision to have seat of District Education Officer in the District head quarter and specially in view of the facts and circumstances to have two separate districts constituted in May 1998 namely Raigarh and Jashpur Nagar, the matter is such where various factors are taken into consideration and no material has been placed by the petitioner to show malafides & <i>Judicial intervention</i>. It is further submitted that pursuant to this shifting of the District Education Office the interest of the employees is going to be affected. Dr. Shukla submitted that so far as the employees are concerned, they are State employees and will remain in district and it shall be better for the employees to make representation in case they so desire. So far as the Class III and Class IV employees are concerned the State shall consider their grievances, if any, on representation made by them individually. Having considered the facts and circumstances of the case we do not find any ground for interference in exercise of the writ jurisdiction of this Court under Public Interest Litigation. Petition accordingly fails and as such the same is dismissed. Security if deposited, be refunded.	
	Sd/- Chief Justice	Sd/- Fakhruddin Judge

[पीछे देखिये]